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"Latin America" Begins at the Mason-Dixon Line

In that witty classic, "Southern Politics in State and Nation," Professor V. O. Key, Jr., himself a Southerner, says, "the issue of Negro suffrage is a question not of white supremacy but of the supremacy of which whites." This observation brilliantly illuminates the realities the spokesmen for the Southern oligarchy in the Senate have kept discreetly hidden in grandiloquent appeals to Magna Charta. The South's restrictions on the right to vote originated mainly from 1890 to 1908 in a determined effort to smash the radical agrarian movements then uniting poorer elements, white and black, against the ruling class of Black Belt planters and urban business men which had dominated the South since Reconstruction. The oligarchy succeeded in disfranchising the Negro, in befuddling the poor white, and in reestablishing its political monopoly. The South, which talks as if it were the faithful guardian of Anglo-Saxon freedoms pure and undefiled, is actually the only area in the English tradition which has a one-party system. The majority of its native pure white Anglo-Saxon stock, like peons, are too apathetic to vote at all. Nowhere else in the English speaking world do so few manage to go on ruling so cynically, so ruthlessly, and in such open contempt for democratic processes. In this sense it might be said that "Latin America" begins at the Mason-Dixon line.

The Veto of the Moneyed Minority

If some modicum of civil rights is to survive what now promises to be a long drawn out fight, it is essential that the spotlight be shifted from legalistic abstractions to these political realities. Only so can the South be put on the defensive. Political discussion has reached a new level of inanity when a Northern Senator like Alexander Smith (*R. N. J.*) can say on the floor of the Senate July 24, "I know that the South does not want to prevent the Negro from enjoying full voting rights." In so fatuous an atmosphere it is not surprising that the Southern leadership has been extorting a maximum of concession without any agreement to give up their final weapon of the filibuster. This weak strategy reflects the weak convictions of all but those who make up the hard core of the civil rights forces. Though the defeat of the school aid bill again demonstrated the power of the Southern oligarchy in coalition with Northern big business, no one is driving home the lesson. To establish the civil rights of the Negro would be to break the disproportionate power of the Southern oligarchy in Congress. This is what led the U. S. Chamber of Commerce, in the July 12 issue of its confidential newsletter, "Congressional Action," to warn its members against the danger that civil rights might split the business alliance with the South. "If that happens," the U. S. Chamber asked in alarm, "will there be any effective control of Congress?" That is to say, how will the wealthy minority maintain its veto if the power of the Southern oligarchy is broken?

Seduced at Hell's Canyon

Here lies the key to awakening the indifferent white masses of the North to the fact that civil rights means more than justice to the Negro minority. But most of the Western liberals have been deluded by the Hell's Canyon vote into believing they might succeed the Chamber of Commerce in the South's affections. Such Western liberal Democrats as Murray and Mansfield of Montana, Magnuson and Jackson of Washington, O'Mahoney of Wyoming and Church of Idaho joined the anti-civil rights forces on July 23 to swamp the Bricker amendment, the last chance to save Part III. This would have allowed the Attorney General to protect other than voting rights but only when directed to do so by the President. The civil rights faithful—such Senators as Douglas, Javits, Clark, McNamara and Neuberger—all voted for it. But Morse of Oregon, like Kennedy of Massachusetts, joined the South in defeating the Bricker amendment, and only then—when the defeat of Part III was certain—did these two finally speak their piece in favor of the bill as a whole. It may be observed parenthetically that of all the speeches in favor of civil rights during the debate, Kennedy's was the weakest and briefest quaver, an almost inaudible "me too." Morse and Kennedy voted for Part III next day, when the cloakrooms knew it was defeated. Such New England liberals as Green of Rhode Island and Flanders of Vermont helped to strike it down, as did Chavez of New Mexico, though civil rights mean as much to his Mexican-American kin as to Negroes.

The Joker in That Jury Compromise

As long ago as June 23, 1955, a Southern columnist, John Temple Graves, writing in the *Birmingham Post-Herald*, pointed out that civil rights could ultimately be nullified by "10,000 [Southern] juries saying 'not guilty'." Here again the Southern oligarchy has managed to get liberals to front for it. The "compromise" jury trial amendment finally worked out between O'Mahoney and Kefauver is a joker to which Javits of New York supplied the key: "When a local official . . . has the choice between complying and not complying, he knows that all he has to do is to drag his feet until after election day, and then the contempt will be not civil contempt, but criminal contempt, and he will be entitled to a jury trial in which his own friends would be on the jury." For three quarters of a century Southern juries have made the older civil rights statutes a dead letter by refusing to indict or convict. If jury trial passes, we will be back at the point where our grandfathers came in.

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No Jury Trial Nonsense When the South Sets Out to Smash Negro Rights

How Government by Injunction Is Being Used to Outlaw the NAACP

While Southern white supremacists are fighting in the Senate against "government by injunction" and for trial by jury, in their own Southern States they have been issuing a series of savage injunctions without jury trial in order to outlaw the National Association for the Advancement of Colored People and make it impossible for Negroes to litigate their rights in the courts. Here are some samples from the survey made by the American Jewish Congress in its newly published report, "Assault Upon Freedom of Association: A Study of the Southern Attack Upon the NAACP":

In Alabama Judge Walter B. Jones, without a hearing, issued a temporary injunction on June 1, 1956, forbidding the NAACP to operate in that State. Attorney General John Patterson then served an order on the NAACP demanding full disclosure of all membership lists and financial records. When the NAACP refused, Judge Jones—of course, without a jury trial—found it guilty of contempt, and fined it $100,000. The higher State courts refused an appeal but the U. S. Supreme Court last May 27 agreed to hear the case.

Jailed Till the Records Were Produced

In Georgia, last November, State tax officials raided the Southern Regional and Atlanta offices of the NAACP. They seized all records in the former but were resisted by John H. Calhoun, president of the local NAACP chapter. A court order was obtained from Judge Durwood Pye, and after a trial without a jury Calhoun was found guilty of both civil and criminal contempt. He was sentenced to a year in jail on the criminal charge but sentence was suspended "so long as he behaves himself." In the civil charge he was imprisoned without bail until he agreed to produce his records. An effort to get this judge to disqualify himself for prejudice failed, though he admitted he held "strong views on the mongrelization of the races."

In Texas last September 21, Judge Otis T. Dunagan, without notice to the NAACP and without a hearing, gave Attorney General Ben Shepperd an order barring all NAACP activities in the State. Texas Rangers descended upon the NAACP offices in Dallas, Houston and Corpus Christi, demanding to see all records. Records thus obtained were used in a series of hearings—without a jury—which culminated in a permanent injunction forbidding the NAACP to engage in any litigation or any political and lobbying activities in Texas and to keep all its records open for inspection.

Frankly for Thought Control

"Because of its success [in governing by injunction] in its courts, the State of Alabama has found no need to enact new laws containing wholesale prohibitions of NAACP activity. . . . Nevertheless, its legislature has passed a number of bills applying to selected rural counties where the Negro population is proportionately high. In 1955, it enacted a law requiring any organization soliciting money in Wilcox County to pay a $200 license fee, $50 for each solicitor and $5 for each person it enrolls. . . . Representative Sam Nettles, who introduced the bill, made clear his intention to impose thought control. 'Without such a proposal,' he said, 'it would be very easy for the NAACP to slip into Wilcox County and teach the Negroes undesirable ideas'."

—Assault Upon Freedom of Association: A Study of the Attack on the NAACP.

Higher Court Ignored

In Louisiana, when the State Court of Appeals finally reversed an injunction forbidding the NAACP to operate in that State, Attorney General Jack Gremilion refused to recognize the decision saying he was "confused" by it. NAACP branches were forced to hand over their membership lists despite the higher court ruling.

Similar steps have been taken in the other Southern States. Arkansas passed a law requiring registration of any organization promoting integration. Florida empowered its Governor to declare an emergency and suspend constitutional guaranties if any steps were taken to further integration.

Against "Loud and Offensive Talk"

In Mississippi the legislature forbade lawsuits by "outsiders" to enforce integration, provided a $500 fine for persons convicted of "loud and offensive talk," required all school employes to reveal organizational affiliation and set up a Commission with a $250,000 budget and the power to employ secret investigators and confidential informants in the fight against integration.

Virginia passed a series of laws which would cripple the NAACP by punishing as "barratry" any effort by it to bring suits to enforce integration. North and South Carolina, and even Tennessee, have enacted similar anti-NAACP laws.

This is the way white supremacists operate at home while their spokesmen in Congress talk as if they were the defenders of Magna Charta and constitutional liberty.

Every American's Stake in the NAACP's Struggle to Survive

"We conclude with de Toqueville who spelled out so long ago why freedom of association is essential to democracy. With startling clarity, he saw that if the state bans any association all are restrained. In words that could have been written yesterday, he said:

" 'When some kinds of association are prohibited and others are allowed, it is difficult to distinguish the former from the later beforehand. In this state of doubt men abstain from them altogether, and a sort of public opinion passes current, that tends to cause any association whatsoever to be regarded as a bold and almost an illicit enterprise.'

"Every American has a stake in the struggle of the NAACP to survive and continue its work. Freedom of association, like the freedoms of speech, press and conscience which it implements, exists primarily for the benefit of the people at large. It protects the people's right to hear, to know, to be informed, so that they may properly exercise their rights and fulfill their obligations as citizens.

"The racial issue in the South has assumed a new dimension. At first, only the constitutional guaranty of equality was challenged. Today, the fundamental rights of expression are in jeopardy. The attack on the NAACP is a reckless effort to preserve inequality by stifling freedom."

—Assault Upon Freedom of Association: The Southern Attack Upon the NAACP, by American Jewish Congress.

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J. Edgar Hoover's Public Relations Factotum Turns Up With the Lawyers in London

ABA Provides A Sounding Board for A Smear Attack on the Supreme Court

The week the American Bar Association arrived in England for its annual convention, the London *Daily Telegraph,* published a special supplement on the U. S. In one of the articles Geoffrey Gorer deplored the influence of ex-Communists in American life (see adjoining box). He reflected consolingly that there had always been a minority in the United States which saw history and politics as a conspiracy, whether of "Negroes, Jews, the Roman Catholic Church, the British Royal Family and aristocracy, Wall Street [or] the Freemasons" and thought our latest attack of nerves abating.

This was hardly off the press before the Bar Association itself demonstrated this tendency to see plots. Its Committee on Communism brought in a report which criticized the Supreme Court in terms which implied that our highest tribunal was a tool of the Communists, notably in their designs on the sacred files of the FBI. (Too few newspaper noticed that J. Edgar Hoover's public relations factotum, Louis B. Nichols, turned up in London for the ABA meeting.)

The U. S. As Anti-Communist Satellite

"One of the greatest of contemporary misfortunes is the power and influence which ex-Communists have been allowed to attain in the United States. . . . It is disastrous that they should acquire influence, for their conspiratorial views of world affairs dovetail with diabolical accuracy the conspiratorial views of the nativistic [rightist] minority.

"The only change which influential ex-Communists appear to make in their views is in the identification of friend and foe; that apart, Marxist habits of thought, suspiciousness, contempt of 'objective' legality and so on have achieved far greater permeation and acceptance in the United States than in any other country not under Communist domination."

—Geoffrey Gorer, London Telegraph, July 22.

An Obscure But Frenetic Handful

The report was served up in the *compote* style of the House Un-American Activities Committee, jumping from discussion of rules of evidence to innuendoes linking the Court with a conspiracy to "recognize Red China . . . enlarge East-West trade" and even to "oppose the possibility of the United States breaking off diplomatic relations with Soviet Russia!"

The report was an affront to the Chief Justice, who is in England for the convention. Abroad, the benign figure of Earl Warren symbolizes the welcome recovery of the U. S. from witch mania. The ABA hurt its own reputation and America's when it allowed itself to be used as a sounding board for an attack on the Warren court by the obscure but frenetic handful of lawyers which runs its Committee on Communism. It is a commentary on the ABA that it has no comparably active committee on fundamental liberties.

The nature of the committee which attacked Warren may be gathered from its most prominent member, Louis C. Wyman, rebuked by the Court when it defended academic freedom in the Sweezy case. Wyman graduated from the China Lobby in Washington, where he was an aide to Senator Bridges, and became Attorney General of New Hampshire. In those rustic mountain pastures, where real Communists are almost as rare as Hottentots, Mr. Wyman launched a Red hunt which managed to harass one Marxist scholar, Paul Sweezy; a pacifist, William Uphaus; and several lady summer visitors caught barehanded with copies of *The Nation.*

No Memorial for Magna Charta

The ABA visitors hung a wreath on a memorial to Magna Charta, but their security-minded report should have been saved for some future convention in Moscow, where it would have been a fit memorial for Vishinsky. He would have found congenial the ABA report's stress on the danger of having the courts "lean too far backward in the maintenance of *theoretical* [sic!] individual rights" and its grandiloquent appeal from constitutional safeguards to "the first law of mankind —the right of self-preservation." This insistence that the safety of the state must take precedence over justice to the individual, was Stalinism's standby, as it has been the standby of every despotism.

The ABA committee found tainted fruit to its liking in the Privy Council report on the Burgess-Maclean case, from which it quoted. We prefer to recall Prime Minister Macmillan's observation on that affair. "Whilst action against employes, whether of the state or of anybody else, arising from suspicion and not from proof might be taken from good motives and might avert serious consequences," he told the Commons at the time, "it seemed, judging from what happened in other countries, that the practice soon degenerated into the satisfaction of personal vendettas or a general system of tyranny, all in the name of public safety." That is the real risk.

The Answer of the Los Alamos Scientists to the Clean Bomb Ballyhoo

"We regret that recent highly publicized views of Drs. Ernest O. Lawrence, Edward Teller and Mark M. Mills were subject to interpretation as an oblique attack on initial forms of the U. S. disarmament proposals.

"The dominant concern of U. S. policy must be to seek out and to take all equitable steps in disarmament and in international relations which can be expected to diminish the risk of war. When placed in contrast with this objective, technical improvements in the means of waging war are insignificant. Therefore, it is urgent that the technical reasons recently publicized for continuing nuclear weapons tests be put in proper perspective.

"If it be true that mankind faces a future in which either 'clean' or 'dirty' nuclear bombs will be employed, then, of course, weapons testing must continue to develop so-called 'cleaner' bombs. But in a larger sense the paramount objective is world peace. The choice which faces us is not so much between 'clean' and 'dirty' bombs, but rather between a world in which war and, therefore, nuclear bombing will occur, and a world in which we shall be free of the scourge.

"A secondary technical reason offered for continuing weapons testing is the hope that such testing may contribute to the development of peacetime uses of atomic energy. To the extent that there is a basis for this hope, we stress that the appropriate auspices for such a program would be provided by the inspection and supervision of a UN Commission rather than by the competitive concealment of secret weapons programs."

—"Putting Nuclear Weapons Testing in Perspective," Los Alamos Chapter, Federation of American Scientists.

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The "Free World" Loses Another Dictator; Dulles to Downgrade Stassen in London

The School Bill Defeat: Oligarchic Power and Democratic Myth

Defeat of the School Bill: A striking example of how the realities of American government differ from its myths. Both parties in 1952 and again in 1956 pledged Federal aid to education. A Gallup poll in February showed 76 percent in favor, only 19 percent against it; even the South, least friendly to Federal aid, was 70 percent in favor of help to schools. Hearings showed enrollment of children this year was 2,500,000 in excess of capacity, including many schools condemned as unsanitary firetraps. Yet the oligarchic coalition of Southern and Northern Congressmen speaking for the wealthy minority again killed the bill. Eisenhower cancelled his regular press conference the day before the final vote rather than face a question on it. Yet a shift of three votes could have saved the bill. It was not defeated by the anti-segregation amendment. Proponents in despair had just accepted as a substitute the identical bill Eisenhower asked last year, minus a racial provision, when Smith of Virginia [the Smith Act man] forced an immediate vote on the previous measure before this new maneuver could pick up steam. A large part of the debate was taken up with the effort to read Ike's mind in the absence of word from the White House. "It is a lot easier to like Ike," said Congressman McGovern of South Dakota bitterly, "than it is to learn what it is that Ike likes."

Guatemala: One need only read the dispatches closely to note the tell-tale absence of any details to support the charge that Castillo Armas was killed by a Communist. Assassination is not a Communist weapon, and if the killing had been ordered by any political party there would have been an uprising timed to follow it. This was more likely a crime of passion. Washington's attitude toward the death of this two-bit dictator may pass unnoticed by a dulled opinion at home but will bring sour reflections in Latin America. Our little puppet—and United Fruit's — had allowed no opposition parties since he took over with U. S. backing in June, 1954. The "free world" has an odd martyr in Castillo Armas.

Disarmament: The Dulles trip to London is another step in the long State Department campaign to downgrade and then ditch Stassen. Eisenhower is as wavering and as poorly informed on disarmament as on most matters in this Administration; he is no match for Dulles. The Secretary of State wants no agreement at all until after the German elections in September, lest this upset prospects for an Adenauer victory. Dulles wants none but the most limited agreement afterward. He is against relaxation of tension, and for a continued arms race but is forced to pay some lip service on the subject because Eisenhower and a substantial portion of the big business community are for arms reduction.

Gems from the House Debate

"Mr. Chairman, much is made of the fact that opposition to Federal aid to education comes from the NAM and the chambers of commerce. We who believe that the Federal government has no place in the field of education are accused of being tools of these powerful business organizations. This is ridiculous."

—Rep. Stuyvesant Wainwright (R. N. Y.) July 24.

"What is the biggest problem facing the schools of America today? To hear some of our colleagues talk, you would think that great buildings can teach. . . . Jesus of Nazareth was the best teacher the world ever knew and I do not believe he ever had a school building in which to teach."

—Rep. D. R. Matthews (D. Fla.), July 24.

"At best we have got guesses or estimates on the [school] shortage. Mr. [Marion B.] Folsom as head of the department [of Health, Education and Welfare] proposing this legislation . . . is a propagandist of a rather violent sort."

—Rep. Ralph W. Gwinn (R. N. Y.), July 23

"We should be alert to the sinister forces which are behind legislation of this sort. . . . Lurking in the background, hoping for this legislation to pass, are the forces of socialism."

—Rep. John E. Henderson (R. Ohio), July 25.

"I am against this bill. . . . Ever since 1620, when the Pilgrims landed in Plymouth, we have taken care of the educational system in our State."

—Rep. Donald W. Nicholson (R. Mass.), July 25.

"Put the education of our children under the domination of Washington and you have taken the long step toward fulfilling the prophecy of Nikita Krushchev. . ."

Rep. Wm. H. Bates (R. Mass.), July 25.

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